

## Message Text

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ACTION ARA-14

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R 182229Z JAN 78

FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 9162

C O N F I D E N T I A L SECTION 1 OF 2 TEGUCIGALPA 0322

E.O. 11652: GDS

TAGS: SHUM, PINT, HO

SUBJECT: CONDITION OF HUMAN RIGHTS IN HONDURAS

REF: (A) 77 STATE 282352, (B) 77 TEGUCIGALPA 5818, (C) 77

TEGUCIGALPA 3917

1. EMBASSY HAS RECEIVED BY POUCH THE DRAFT REPORT DESCRIBED PARA 4 AND 5 REF (A) AND SUBMITS THE FOLLOWING OBSERVATIONS AND COMMENTS FOR POSSIBLE INCLUSION IN THE FINAL TEXT OF PART A, WHICH WILL BE UNCLASSIFIED.

2. PART A: CONDITION OF HUMAN RIGHTS IN HONDURAS.

PARA I(A): REPLACE AS FOLLOWS: TORTURE: THERE ARE NO INDICATIONS THAT TORTURE HAS BEEN USED BY THE HONDURAN GOVERNMENT IN RECENT YEARS ALTHOUGH RUMORS AND UNCONFIRMED REPORTS OCCASIONALLY SURFACE. THERE HAVE BEEN PERSISTENT REPORTS OF EXCESSIVE, UNNECESSARY FORCE BEING USED BY LOCAL POLICE IN DEALING WITH THE PUBLIC, USUALLY IN THE MORE REMOTE RURAL AREAS BUT ALSO OCCASIONALLY IN THE CITIES. THE REPORTS USUALLY CONFINE THE ALLEGED MISTREATMENT TO PUSHING AND SHOVING, ALTHOUGH OUT

AND OUT BRUTALITY IS ALSO ALLEGED TO OCCUR. THERE ARE NO REPORTS ALLEGING THAT ANY MISTREATMENT IS CONDONED OR ENCOURAGED BY THE GOVERNMENT AND TO THE EXTENT MISTREATMENT MIGHT OCCUR, IT WOULD SEEM TO BE A RESULT OF POOR TRAINING OF SECURITY FORCES

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AND INDIVIDUAL EXCESSES.

PARA I(B): EMBASSY AGREES WITH CONTENTS OF THIS PARAGRAPH, BUT ITS INCLUSION HERE MIGHT BE TAKEN TO IMPLY THAT THE GOH MIGHT HAVE CONDONED THE OLANCHO EVENTS. WHILE THIS IMPLICATION IS CORRECTED IN PARA 4 OF THE DRAFT PART A, EMBASSY REGRETS A WRONG IMPRESSION COULD BE FORMED. UNFORTUNATELY, THERE SEEMS TO BE NO OTHER HEADING UNDER WHICH IT MIGHT MORE APPROPRIATELY BE PLACED.

EMBASSY THEREFORE SUGGESTS THE FOLLOWING CHANGES: A SERIOUS INCIDENT OF THIS TYPE OCCURRED IN 1975 AND RESULTED FROM GROWING AGRARIAN UNREST IN THE OLANCHO PROVINCE, A REMOTE, RUGGED AND ISOLATED PART OF HONDURAS. THE AGRARIAN CRISES IN HONDURAS HAD REACHED A PEAK IN JUNE 193; WHEN, AS THE AMNESTY INTERNATIONAL REPORT 1975-76 NOTED, THE PEASANT OCCUPATION OF UNUSED BUT CULTIVABLE LAND "LED TO MASSIVE ARRESTS" AS WELL AS VIGILANT COUNTERACTION BY LANDLORDS OF THE LARGE ESTATES AND THEIR ARMED GUARDS." FORUETEEN PERSONS, INCLUDING AN AMERICAN PRIEST, FATHER JEROME CYPHER, WERE KILLED IN A VIOLENT OUTBURST IN JUNE 1975. THE LANDOWNERS WERE ALLEGEDLY SUPPORTED BY SOME MILITARY OFFICERS IN THE AREA, ALTHOUGH THERE IS NO INDICATION THAT THE LATTER WERE ACTING ON GOVERNMENT ORDERS. SEVERAL ... "REST OF PARAGRAPH FOLLOWS AS WRITTEN. ADD AFTER LAST SENTENCE "THE HONDURAN MILITARY AND POLICE HAVE GENERALLY BEEN SUCCESSFUL IN MOVING SQUATTERS OFF PRIVATE LAND WITHOUT SERIOUS INCIDENTS. ON THE OTHER HAND, THE GOH ALSO PROVIDES CAMPESINOS WITH LAND THAT HAS BEEN EXPROPRIATED FOR THEIR USE UNDER AN AGRARIAN REFORM PROGRAM THAT ATTEMPTS TO RESPOND TO CAMPESINO NEEDS. THE POTENTIAL FOR FURTHER VIOLENCE EXISTS, AND SOME INCIDENTS HAVE OCCURED INVOLVING HARASSMENT AND VEILED THREATS DIRECTED AT SOCIAL WORKERS, INCLUDING PRIESTS. THERE IS NO INDICATION THAT THESE ARE INSPIRED OR CONDONED BY THE GOH, WHOSE STATED POLICY IS TO PURSUE AGRARIAN REFORM UNDER ESTABLISHED PROGRAMS. PARA I(C): THE INCIDENT DESCRIBED IN PARA I(B) ABOVE  
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DID NOT INVOLVE ARBITRARY ARREST OR IMPRISONMENT, ALTHOUGH SOME CAMPESINO LEADERS WERE BRIEFLY HELD FOLLOWING THE EVENTS. EMBASSY SUGGESTS THAT PARAGRAPH BE WRITTEN AS FOLLOWS: HONDURAN LAW PROVIDES FOR AN ARRAIGNMENT HEARING SHORTLY AFTER ARREST, AND THIS APPEARS TO BE THE RULE IN MOST CASES. THERE APPEARS TO BE NO DELIBERATE

VIOLATIONS OF THIS LAW

ALTHOUGH HEARINGS MAY SOMETIMES BE DELAYED DUE TO ADMINISTRATIVE INEFFICIENCY. SOME GROUPS HAVE MAINTAINED THAT A NUMBER OF FORMER LEADERS OF THE "EMPRESA ASSOCIATIVA DE ISLETAS," A CAMPESINO COOPERATIVE IN THE AGUAN VALLEY, ARE BEING HELD ARBITRARILY FOR POLITICAL REASONS. (FYI - THEY ARE ALLEGEDLY COMMUNISTS, WERE ARRESTED 10 MONTHS AGO, AND HAVE NOT YET

BEEN TRIED.) HOWEVER, THEY ARE CHARGED WITH EMBEZZLEMENT OF CO-OP FUNDS, AND THE CASE IS IN THE HANDS OF AN INVESTIGATING JUDGE.

PARA I(D): ADD THE FOLLOWING: "THERE ARE OFTEN INORDINATELY LONG DELAYS ENCOUNTERED IN THE ADMINISTRATION OF JUSTICE BECAUSE THE COURT SYSTEM IS OVERBURDENED AND INADEQUATELY FINANCED. A RECENT GENERAL PARDON, WHICH IS EXPECTED TO BENEFIT ABOUT 700-1000 COMMON CRIMINALS TRIED OR CONVICTED OF LESS THAN CAPITAL CRIMES, WAS APPROVED BASED IN PART, APPARENTLY, ON

THE GOVERNMENT'S RECOGNITION THAT IMPROVEMENT IS DESIRABLE IN ITS HANDLING OF ACCUSED PERSONS.

PARA I(E): NO CHANGE.

PARA 2(A): NO CHANGE. (FYI: THE INTER-AMERICAN HUMAN RIGHTS COMMISSION HAS REPORTEDLY ASKED THE GOH TO RESPOND TO A COMPLAINT MADE BY THE POLITICAL PARTIES THAT ASSEMBLY IS RESTRICTED. THE GOH WILL PROBABLY REPLY THAT BECAUSE THE ELECTORAL LAW HAS BEEN PUBLISHED AND AS THE DATE FOR ELECTIONS APPROACHES, THIS RESTRICTION WILL BE EASED.)

PARA 2(B): ADD TO SENTENCE: "ALTHOUGH TRAVEL TO AND FROM EL SALVADOR IS RESTRICTED BECAUSE OF THE UNRESOLVED 1969 BORDER DISPUTE WITH THE COUNTRY."

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TO SECSTATE WASHDC 9163

C O N F I D E N T I A L SECTION 2 OF 2 TEGUCIGALPA 0322

PARA 2(C): ADD AFTER SECOND SENTENCE: ALTHOUGH THE TWO MAJOR POLITICAL PARTIES DID NOT TAKE PART IN THE ADVISORY COUNCIL, AT THEIR OWN DECISION, THEY BOTH HAVE ACCESS TO GOVERNMENT LEADERS AND HAVE BEEN INVOLVED IN APPROVAL OF THE NEW ELECTORAL LAW.

PARA 3: EMBASSY SUGGESTS FOLLOWING TO REPLACE PARA 3: PURSUANT TO POLICIES SET FORTH IN HONDURAS' NATIONAL DEVELOPMENT PLAN, PUBLISHED IN DECEMBER 1973, GOVERNMENTAL EXPENDITURES IN THE AGRICULTURE, EDUCATION AND HEALTH SECTORS MORE THAN DOUBLED BETWEEN 1974 AND 1977. IN AGRICULTURE, THE AGRARIAN REFORM WHICH WAS EXPANDED IN 1975, HAS MOVED FORWARD WITH OVER 32,000 FAMILITES BENEFITED. PROGRAMS OF AGRICULTURAL RESEARCH AND EXTENSION, CROP DIVERSIFICATION, AND STORAGE HAVE BEEN EXPANDED. A NEW EMPHASIS ON NUTRITION HAS SEEN THE ESTABLISHMENT, IN 1976, OF A NUTRITION PLANNING GROUP WITHIN THE NATIONAL PLANNING COUNCIL TO STEER AN OPERATIONAL NUTRITION PROGRAM AIMED AT HONDURAS' POOR.

IN 1975 THE MINISTRY OF HEALTH INSTITUTED AN AMBITIOUS PROGRAM TO EXTEND BASIC HEALTH SERVICES, EMPHASIZING PREVENTIVE

MEDICINE, TO THE RURAL AREAS THROUGH THE USE OF PARAMEDICS  
WITH THE OBJECTIVE OF INCREASING RURAL POPULATION COVERAGE  
FROM 24 PERCENT IN 1975 TO 80 PERCENT IN 1980.

PRIMARY EDUCATION, WHICH CURRENTLY ONLY PROVIDES SERVICES  
TO AN ESTIMATED 57 PERCENT OF PRIMARY SCHOOL AGE CHILDREN, IS BEING  
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SUBSTANTIALLY EXPANDED IN RURAL AREAS AND A MORE RELEVANT  
CURRICULUM IS BEING DEVELOPED. LOW-COST HOUSING IS BEING  
FINANCED ON A PILOT BASIS.

PARA 4: FIRST SENTENCE TO READ: THE GOVERNMENT IS RESPONSIBLE FOR  
THE LIMITATIONS THAT EXIST ON POLITICAL ACTIVITIES AND FOR THE LACK  
OF FREE ELECTIONS SINCE 1972.

PARA 5: NO CHANGE.

3. EMBASSY CONCURS WITH PART B: ANALYSIS AND RECOMMENDATIONS,  
BUT SUGGESTS THE WORD "SHOULD" IN LAST PARAGRAPH (PARA 4) BE  
CHANGED TO "MIGHT POSSIBLY" AND THAT THE PHRASE "AND NOT OPPOSE  
U.S. EFFORTS TO PROMOTE HUMAN RIGHTS." BE DELETED AS IT DOES NOT  
REFLECT GOH POLICY. LAST SENTENCE OF THE PREVIOUS PARAGRAPH (3)  
COULD MORE ACCURATELY READ: "ACCORDING TO HONDURAN  
OFFICIALS, THIS STANCE WAS ADOPTED OUT OF A RELUCTANCE TO  
OFFEND HONDURAS' CENTRAL AMERICAN NEIGHBORS WHEN THE  
COUNTRY IS MAKING A CONCERTED EFFORT TO RESOLVE WHAT IT VIEWS  
AS ITS MAJOR PROBLEM, THE BORDER DISPUTE WITH EL SALVADOR.

4. COMMENT: EMBASSY IS PLEASED THAT ITS SUGGESTIONS,  
PREVIOUSLY FORWARDED BY REF (C) HAVE ALREADY BEEN INCLUDED IN  
DRAFT PART B. FOREGOING SUGGESTED CHANGES WILL PROVIDE MORE  
UP-TO-DATE, ACCURATE STATUS OF HUMAN RIGHTS REPORT WITHOUT, EMBASSY  
BELIEVES, CHANGING THE BASIC CONCLUSIONS FORWARDED REF (B). THE  
HUMAN RIGHTS SITUATION IN HONDURAS, WHILE NOT PERFECT, DOES NOT  
REPRESENT A NEGATIVE CASE, AND IN MANY WAYS MERITS PRAISE. AS  
DAILY LA PRENSA POINTED OUT IN A RECENT EDITORIAL, THE GOH IS  
DESIROUS THAT HUMAN RIGHTS BE RESPECTED. THOSE PROBLEMS WHICH  
DO OCCUR, ACCORDING TO LA PRENSA, ARE NOT PART OF THE SYSTEM,  
BUT ARE MORE CORRECTLY DESCRIBED AS RESULTING FROM THE IGNORANCE  
AND LOW-LEVEL OF TRAINING OF MANY ELEMENTS OF SECURITY FORCES  
AS WELL AS BEING PART OF THE GENERAL PROBLEMS OF UNDERDEVELOPMENT.  
THESE LIMITATIONS THE GOH SEEMS TO GENUINELY BE TRYING TO  
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OVERCOME, IN ALL HUMAN RIGHTS CATEGORIES: RESPECT FOR  
INTEGRITY OF THE PERSON, ECONOMIC RIGHTS AND CIVIL AND  
POLITICAL RIGHTS.

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## Message Attributes

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